

2022 Regular Session

HOUSE BILL NO. 11

BY REPRESENTATIVE STEFANSKI (BY REQUEST)

PUBLIC MEETINGS: Provides relative to public comment on agenda items at meetings of public bodies

1 AN ACT

2 To amend and reenact R.S. 42:15 and to repeal R.S. 42:14(D), relative to meetings of certain
3 public bodies; to provide relative to public comment on agenda items at such
4 meetings; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:15 is hereby amended and reenacted to read as follows:

7 §15. ~~School board meetings; public~~ Public comment on agenda items

8 ~~A. Notwithstanding any other law to the contrary, each school board subject~~
9 ~~to the provisions of this Chapter, except as provided in Subsection B of this Section,~~
10 ~~shall allow public comment at any meeting of the school board prior to taking any~~
11 ~~vote. The comment period shall be for each agenda item and shall precede each~~
12 ~~agenda item. Each public body conducting a meeting that is subject to the notice~~
13 ~~requirements of R.S. 42:19(A) shall allow public comment prior to taking action on~~
14 ~~an agenda item. Comments that are germane shall be allowed and made when the~~
15 ~~item is called from the agenda, but the presiding officer may grant a request from a~~
16 ~~person that he be allowed to comment at an earlier time. A comment period for~~
17 ~~multiple items on the agenda at any point in the meeting is prohibited. The presiding~~
18 ~~officer shall provide an opportunity for public comment by asking if there is any, and~~
19 ~~the minutes of the meeting shall show that he did so. He may set a reasonable time~~
20 ~~limit for the comments and may limit the number of speakers. For identification~~

1 purposes a person may be required to complete a comment card before being allowed
2 to speak.

3 ~~B. The Orleans Parish School Board, at any meeting of the school board,~~
4 ~~shall provide an opportunity for public comment subject to reasonable rules,~~
5 ~~regulations, and restrictions as adopted by the school board.~~

6 ~~C. For purposes of this Section, a comment period for all comments at the~~
7 ~~beginning of a meeting shall not suffice to meet the requirements of Subsection A~~
8 ~~or Subsection B of this Section.~~

9 Section 2. R.S. 42:14(D) is hereby repealed in its entirety.

10 Section 3. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 11 Original

2022 Regular Session

Stefanski

Abstract: Provides relative to public comments on agenda items at meetings of certain public bodies.

Present law (R.S. 42:14—Open Meetings Law) provides that every meeting of any public body shall be open to the public unless closed pursuant to present law. Provides that all votes made by members of a public body shall be viva voce and shall be recorded in the minutes, journal, or other official, written proceedings of the body, which shall be a public document. Proposed law retains present law.

Present law, applicable to meetings of public bodies other than school boards and legislative bodies, provides that the public body shall allow a public comment period at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. Authorizes a governing body to adopt reasonable rules and restrictions regarding such comment period. Proposed law repeals present law.

Present law, applicable to meeting of school boards except the Orleans Parish School Board, provides that the board shall allow public comment at any meeting prior to taking any vote. Provides that there shall be a comment period for each agenda item which shall precede each agenda item. Provides that a comment period for all comments at the beginning of a meeting does not suffice to meet the requirements of present law. Present law, applicable to meetings of the Orleans Parish School Board, provides that the board shall provide an opportunity for

public comment subject to reasonable rules, regulations, and restrictions as adopted by the school board. Proposed law repeals present law.

Proposed law provides that every public body, except legislative committees and including school boards, shall allow public comment prior to taking action on an agenda item. Provides that comments which are germane shall be allowed and made when the item is called from the agenda, but the presiding officer may grant a request from a person that he be allowed to comment at an earlier time. Prohibits a comment period for multiple items on the agenda at any point in the meeting. Provides that the presiding officer may set a reasonable time limit for the comments and may limit the number of speakers and that a person may be required to complete a comment card before being allowed to speak.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 42:15; Repeals R.S. 42:14(D))